RECLAMATION

Managing Water in the West

Whites Gulch Migration Barrier Removal Project

Klamath Watershed Restoration Program Grant # 07FG200119 Siskiyou County

Klamath Project, Oregon
Mid Pacific Region

Finding of No Significant Impact

FONSI No.: KBAO-FONSI-09-002

APPROVED

U.S. Department of the Interior
Bureau of Reclamation

June 2009

FINDING OF NO SIGNIFICANT IMPACT

Whites Gulch Migration Barrier Removal Project

INTRODUCTION

The United States Bureau of Reclamation (Reclamation) has prepared an Environmental Assessment (EA), dated June 2009 entitled *Whites Gulch Migration Barrier Removal Project.* This EA describes the environmental effects of replacing an existing culvert on White's Gulch Road with a bridge. Whites Gulch Road is a Siskiyou County maintained road within lands administered by the United States Forest Service, Klamath National Forest, Scott and Salmon River Ranger District in California. The EA was prepared to satisfy the procedural requirements of the National Environmental Policy Act (P.L. 91-190, as amended).

PROPOSED ACTION

The Bureau of Reclamation (Reclamation) proposes to provide funding to Siskiyou County in coordination with the California Department of Fish and Game (DFG) to implement the activities as described in the Klamath Watershed Restoration Program Grant # 07FG200119 entitled *Whites Gulch Migration Barrier Removal Project* and covered under the subject EA.

Siskiyou County's action involves replacing the existing culvert on Whites Gulch Road (Siskiyou County Road No. 2E002), at the stream crossing of Whites Gulch, with a bridge. The action that Reclamation is funding is being performed to allow complete access to 3.5 miles of upstream spawning and rearing habitat for all life stages of Chinook and coho salmon and steelhead trout.

SUMMARY OF EFFECTS

The environmental impact described and analyzed in the EA is not anticipated to have any significant adverse impacts on the human or natural environment. The effects and consequences to environmental categories with the potential to impact the human and natural environment were analyzed in the EA. Evidence of coordination with the appropriate Federal, state, and local agencies and their comments is included in the EA and its appendices.

Authorization from the Army Corps of Engineers and North Coast Water Quality Control Board for Clean Water Act compliance will be completed prior to any ground disturbance activities through the DFG's Fisheries Restoration Grant Program. Siskiyou County also obtained a Streambed Alteration Sec. 1600. permit through DFG. All of the aforementioned permits will be on file at Reclamation's Klamath Basin Area Office (KBAO).

Endangered Species Act, Section 7 consultation requirements with both the United States Fish and Wildlife Service (USFWS) and the National Marine Fisheries Service (NMFS) were satisfied for the DFG Grant Program. The USFWS issued an informal consultation concurrence letter concluding that the project "may affect, but is not likely to adversely affect" the federally threatened northern spotted owl. The NMFS issued a Biological Opinion on May 21, 2004. The opinion concluded that the project was "not likely to jeopardize the continued existence" of the federally threatened Southern Oregon/Northern California Coast (SONCC) coho salmon and "was not likely to destroy or adversely modify the designated critical habitat" of the SONCC coho salmon.

Section 106 of the National Historic Preservation Act requires Federal agencies to consider the effects of an action or activity on historic properties which include archaeological sites, built environment, and sites of religious and cultural significance eligible for inclusion on the National Register of Historic Places. As a result, Reclamation archeologists performed a site survey on March 1, 2009 and requested concurrence with the California State Historic Preservation Officer on a "No Historic Properties Affected" determination. The SHPO concurred with Reclamation's efforts to identify cultural resources. As a result there will be no impact to cultural resources by implementing this project.

Reclamation is required to consider the impacts of project activities on Indian Tribal Trust Assets. The proposed project was reviewed by Reclamation's Mid-Pacific Regional Office, Indian Trust Assets Coordinator, Patricia Rivera, on June 11, 2009 and a "no impacts to Indian Tribal Trust Assets" concurrence was received.

FINDING

Based on the analysis of the environmental impacts as described in the EA, Reclamation has determined that the proposed federal actions are consistent with existing national environmental policies and objectives and that it will not significantly affect the quality of the human environment or otherwise include any condition requiring consultation pursuant to Section 102(2)(c) of NEPA.

DECISION

It is Reclamation's decision to fund the removal of the existing culvert on Whites Gulch Road at the stream crossing of Whites Gulch and replace it with a bridge. Implementation of the proposed action may take place once all consultations are completed as described in this Finding of No Significant Impact and Environmental Assessment. Reclamation believes that the Proposed Action Alternative best meets the purpose and need of the proposal.

FONSI Prepared By: Kristen L. Hiatt Date: June 10, 2009

Recommended: _____ Date: 6/23/09
Area Office Environmental Specialist

Approved: _____ Date: 06/24/09
~~Susan~~ M. Fry
Area Manager
Klamath Basin Area Office
Bureau of Reclamation

RECLAMATION
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Whites Gulch Migration Barrier Removal Project

Klamath Watershed Restoration Program Grant # 07FG200119 Siskiyou County

Klamath Project, Oregon
Mid Pacific Region

Environmental Assessment

FONSI No.: KBAO-EA-09-002

U.S. Department of the Interior
Bureau of Reclamation

June 2009

ENVIRONMENTAL ASSESSMENT

Whites Gulch Migration Barrier Removal Project

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CHAPTER 1 – INTRODUCTION AND DESCRIPTION OF THE PROPOSAL

INTRODUCTION

The Bureau of Reclamation (Reclamation) proposes to replace the existing culvert on Whites Gulch Road (Siskiyou County Road No. 2E002), at the stream crossing of Whites Gulch, with a bridge in order to allow complete access to 3.5 miles of upstream spawning and rearing habitat for all life stages of Chinook and coho salmon and steelhead trout. This Environmental Assessment (EA) includes brief discussions of the need for the proposal, alternatives, environmental impacts of the proposed action and alternatives, and a listing of agencies and persons consulted (40 CFR § 1508.9). Reclamation is preparing this EA to describe the environmental effects of a proposal to replace the existing culvert with a bridge. This EA is prepared to satisfy the procedural requirements of the National Environmental Policy Act (P.L. 91-190, as amended) and to determine if an Environmental Impact Statement or Finding of No Significant Impact should be prepared for this project.

PURPOSE AND NEED STATEMENT

The purpose of this project is to restore access to 3.5 miles of upstream spawning and rearing habitat for adult and juvenile coho and Chinook salmon and steelhead trout by replacing the existing culvert on Whites Gulch Road with a bridge. The replacement is needed because the existing culvert is a complete barrier to the additional upstream habitat for adult and juvenile coho and Chinook salmon and steelhead trout.

BACKGROUND

The Whites Gulch Migration Barrier Removal Project is proposed for construction by the Siskiyou County Department of Public Works (DPW) as Whites Gulch Road is a Siskiyou County Road. Whites Gulch is a tributary to the North Fork Salmon River, a major tributary to the Klamath River in Northwestern California. Project construction has been funded by the United States Bureau of Reclamation's Klamath River Watershed Restoration Program and the California Department of Fish and Game's Fisheries Restoration Grant Program. The project has also received funding from Siskiyou County and the Five Counties Salmonid Conservation Program (5C) for engineering, permitting and construction. Whites Gulch Road is a Siskiyou County maintained road within lands administered by the United States Forest Service, Klamath National Forest (KNF), Scott and Salmon River Ranger District. The proposed action would allow access to critical cold water refugia and spawning habitat for juvenile and adult coho salmon, spring and fall Chinook salmon and steelhead trout, consistent with the KNF's goals and objectives under FEMAT (1993), the ROD for the Northwest Forest Plan (1994), and the KNF Land and Resource Management Plan (LRMP, 1995). This action is also consistent with the Organic Administration Act of 1897, the Multiple Use Sustained Yield Act of 1960, the National Forest Management Act of 1976 (updated 1984). Since the project would improve passage conditions for sensitive aquatic species, it is consistent with actions to promote recovery of listed and candidate species and Species of Special Concern. The Project also addresses habitat restoration goals described in the 2004 Recovery Strategy for California Coho Salmon (Report to the California Fish and Game Commission).

LOCATION AND GENERAL DESCRIPTION OF THE PROPOSED PROJECT

The proposed project area is located approximately five miles east of the community of Sawyer's Bar in Siskiyou County, California on County Road # 2E002 (Whites Gulch Road) at Milepost 0.426. The legal description is: T40N, R11W, NW ¼, NE ¼, Section 35 MDBM. The average elevation of the project area is 2,400 feet (Figure 1). Whites Gulch is a fourth order (7th field) watershed in the North Fork Salmon River watershed. The project is located within a Late Successional Reserve (LSR) land allocation as defined in the KNF's Lands and Resource Management Plan (LRMP). Siskiyou County road right of way is through an existing special use permit with the KNF and due to the proposed

realignment of the existing roadway with construction of the proposed bridge; encroachment beyond the County's current permitted right of way is proposed to be approved by the KNF and incorporated into an amended special use permit.

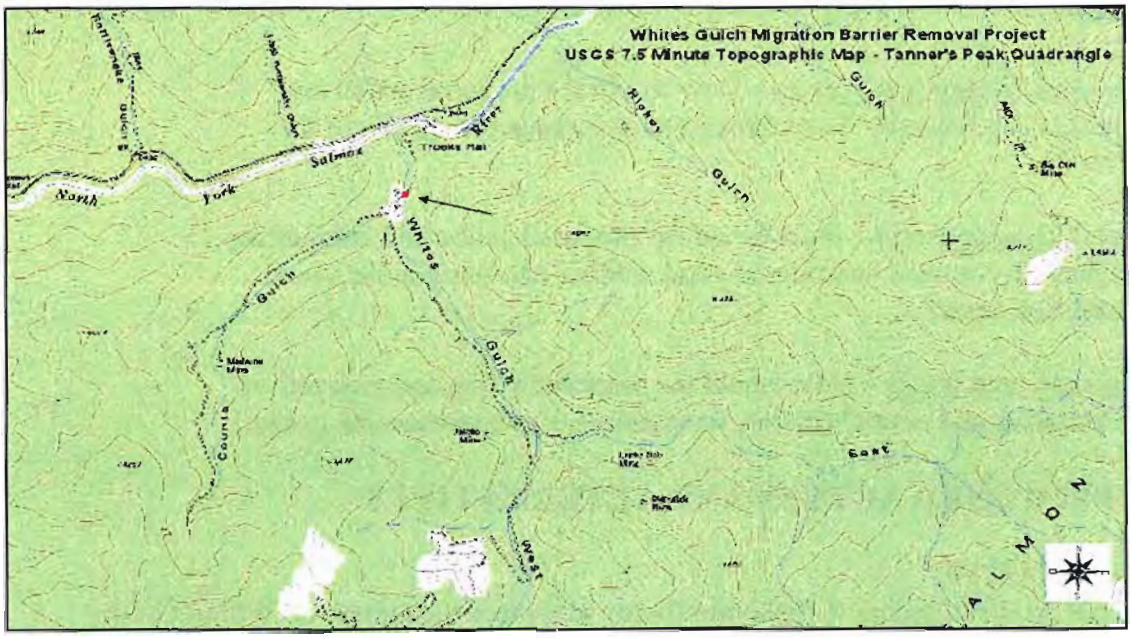

Figure 1 – Whites Gulch Migration Barrier Removal Project Location Map

The proposed action would remove the existing 10-foot tall x 14-foot wide x 90-foot long metal pipe arch set at 3% grade and replace it with a 60-foot long, 20-foot wide pre-cast concrete bridge set on spread footing concrete abutments. The DPW has completed the required engineering and plan finalizations to construct the project in-house from July 13, 2009 through October 31, 2009. All instream work would be completed from June 15 through October 15, 2009 as regulated by the California Department of Fish and Game Stream Alteration Agreement. The bridge design complies with the 2001 NMFS (National Marine Fisheries Service) and 2002 CDFG Guidelines for salmonid passage at stream crossings utilizing the stream simulation design that also conveys the 100-year flows and associated bedload and debris (refer to Appendix 1 for the bridge plans and construction protocols listed in the Project Description). DPW would manage all elements of the project, with assistance from 5C Program and KNF staff, as necessary. The project is on a County road and will be maintained by DPW after completion.

DECISIONS TO BE MADE

Reclamation will use this EA and other relevant information to make the following decisions: (1) Should Reclamation provide funding to Siskiyou County as part of Klamath Watershed Restoration Program to replace the existing culvert at Whites Gulch Road with a bridge?; and (2) Does the proposed action constitute a major federal action significantly affecting the quality of the human environment necessitating preparation of an environmental impact statement?

RESOURCE ISSUES

The following resource issues have been identified as the issues that should be analyzed in detail in this EA. They were identified through scoping activities conducted by Reclamation, and will be used to guide analysis of environmental consequences.

The resource issues are briefly summarized in the following analysis questions:

1. Cultural and Historic Resources – How would the proposed action and alternatives affect cultural resources and historic properties, if any exist within the proposed areas?

2. Threatened and Endangered Species – How would the proposed action and alternatives affect any federally listed threatened or endangered species in the proposed areas?

3. Wetland and Riparian Areas – How would the proposed action and alternatives affect the vegetation (wetland and riparian) and wildlife habitats/populations within the proposed areas?

4. Other Resources and Issues – How would the proposed action and alternatives affect these resources and issues? (Indian Trust Assets, Environnemental Justice)

CHAPTER 2 – PROPOSED ACTION AND ALTERNATIVES

NO ACTION ALTERNATIVE

Reclamation would not provide funding to Siskiyou County to replace the culvert on Whites Gulch Road with a bridge. Taking "no action," however, would not meet the purpose and need for the proposal and would continue to result in negative effects to listed salmonids.

PROPOSED ACTION

The proposed action would remove the existing 10-foot tall x 14-foot wide x 90-foot long metal pipe arch set at 3% grade with a 60-foot long, 20-foot wide pre-cast concrete bridge set on spread footing concrete abutments. The removal of this culvert would result in a new upstream alignment of the existing roadway. DPW has completed the required engineering and plans to construct the project in-house. The construction period is proposed as July 13, 2009 through October 31, 2009, with all instream work completed from July 13 through October 15, 2009 as regulated by the California Department of Fish and Game Stream Alteration Agreement (Document No. R1-09-0172 in Appendix 1; Project Description) that Siskiyou County has secured. The roadway and culvert is maintained by DPW but approximately 396 feet (0.075 miles) southwest of the project site, Whites Gulch Road becomes Forest Road 40N72 which is administered by the KNF Scott and Salmon Ranger District. The upstream portion of the affected project area also extends beyond the county's right of way into KNF administered lands and County right of way for the new bridge and roadway alignment would need to be modified through a modification of the Special Use Permit. As a project under the 5C Program, the proposed action would be required to follow the applicable Best Management Practices (BMPs) for stream crossing replacement, outlined in the 5C Water Quality and Stream Habitat Protection Manual for County Road Maintenance in Northwestern California Watersheds (Roads Manual). The Manual and its discrete chapters and appendices is available online at:
http://www.5counties.org/Projects/FinalGeneralProjectPages/RoadsManual800.htm

The DPW would manage and complete all elements of the project, with assistance from 5C Program and KNF staff, as necessary. Construction activities would consist of the following elements: 1) Pre-construction activities; 2) Bridge and roadway construction; 3) Erosion control and spoils disposal.

Pre-Construction Activities: Pre construction activities are proposed to consist of conducting aquatic species relocation out of the project construction area, detour construction, and stream dewatering.

Flowing, fine-meshed block nets would be set across the stream channel 25 feet upstream of the existing culvert inlet and 20 feet below the existing culvert outlet pool to prevent fish and other aquatic dependent species from entering the worksite during construction. Fish and other aquatic species found between the block nets would be netted and/or electro-fished and transported downstream of the downstream block net by a qualified fish biologist with a Section 10 Endangered Species Act "Incidental Take" permit and a CDFG scientific collector's permit. The outlet pool would be pumped down using a screened pump per NMFS guidelines so that any fish in the pool may be relocated downstream of the block net. The biologist would record the species and age classes of fish that were relocated and if any mortality occurred.

A temporary detour would be constructed as Whites Gulch Road and Forest Road 40N72 both access private properties and provide for an alternate travel route between Sawyer's Bar Road and Cecilville Road. The existing culvert would be left in place during construction of the new bridge, however the roadfill and part of the roadway leading up to the culvert crossing would be excavated (~ 40 cubic yards) and a temporary Bailey bridge would be installed over the culvert for the detour. The Bailey bridge and existing culvert would be removed after the bridge and new roadway approaches are constructed. The road surface up to and at the existing crossing consists of native soil so there is no asphalt concrete or other road surfacing to dispose of. The roadway and fill material would be stored approximately 0.185 miles south of the project site (Figure 2) on an existing USFS spur road. Any temporary spoils material stored at the project site during construction would be placed where it cannot deliver to the stream, or any other watercourse, so that it may be sorted and re-used in the construction of the new roadway approaches or it will be endhauled to the approved spoils disposal site.

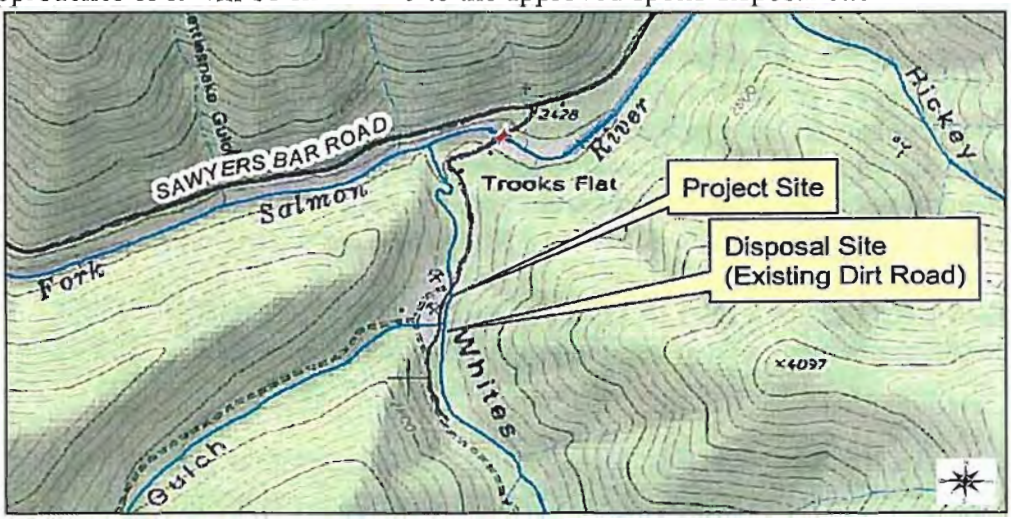

Figure 2 – Whites Gulch Migration Barrier Removal Project Spoils Disposal Site

For the majority of project construction, water would be allowed to flow through the existing culvert crossing. When excavating and pouring the concrete footings for the bridge abutments, which are outside of the active channel, any ponding water would be pumped from the excavation area(s) up over the road and outlet in a small depression that has no outlet to the stream. The stream would be isolated from the abutment excavation and concrete pouring by installing a diversion structure between the culvert inlet and the upstream fish net, consisting of a shallow excavation and plastic sheeting to collect and direct flow into an 18-inch, or larger, diameter culvert. The diversion culvert would outlet inside the existing metal culvert. An oil-trapping absorbent floating boom system would be placed across the existing culvert outlet pool at the start of construction to protect the stream from any accidental oil or petroleum discharge.

Bridge and Roadway Construction: The bridge approaches and realignment of the roadway to tie into the existing road would be roughed in prior to bridge construction. The proposed new roadway length is approximately 80 feet at the northeast approach and 60 feet at the southwest approach. Each abutment would be framed and poured, utilizing the Roads Manual BMPs to pump any ponding water out of the excavation site and for keeping concrete out of the stream channel. The spread footings and abutments would be constructed approximately 15 feet out from the high water mark of the active channel on either side of the stream. To prevent scour, ¼-ton rock-slope protection would be installed along the abutments to minimize scour. The proposed bridge deck consists of 5 sections of 4-foot wide by 20-foot long pre-stressed concrete beam sections that would be placed on the abutments with a crane or excavator and secured with rebar. After the footings, abutments and bridge deck are constructed; structural backfill would be placed to fill the voids behind the abutments and compacted with a manual whacker per compaction specifications. Using this construction method, there should be little potential for ponding of water but if pumping is necessary, water would be pumped across the road to a depression area where it could filter and not deliver to the stream or any other watercourse. The guardrail would be installed and the new roadway approaches would be defined and rocked. Once the bridge is deemed safe for travel, the temporary Bailey bridge would be disassembled and the culvert would be removed after the diversion culvert is removed. The old roadway approaches to the existing culvert would be excavated (~ 1,000 cubic yards) and the streambanks would be shaped back to natural grade and revegetated. The oil-absorbing boom and fine-meshed block nets would be removed once the excavation is complete. No fill material would be placed within the ordinary high water mark or in a location that could potentially deliver to the stream or any other watercourse.

Erosion Control and Spoils Disposal: Upon project completion the necessary final erosion controls would be implemented at the project site. All disturbed areas, including the old roadway approaches, would be re-vegetated with native seed species and plantings and mulched with certified weed-free material. The newly shaped streambanks would be stabilized using ¼ ton rock-slope protection and plantings. Any excess spoils material would be end-hauled to the pre-approved permanent disposal site and either re-used or permanently stabilized to prevent erosion. Spoils storage would be in accordance with the Roads Manual, stored in a manner as not to deliver to a stream or other watercourse.

MITIGATION MEASURES INCORPORATED INTO THE PROPOSED ACTION

The following mitigation measures are incorporated into the proposed action to mitigate adverse effects of the project:

1. Throughout all project activities, the applicable Best Management Practices from the Roads Manual would be adhered to for stream crossing replacement, fish relocation, roadway construction, spoils disposal, revegetation and erosion control to minimize environmental effects and would be implemented by construction forces. Chapter Nos. 3, 4, 5 and the BMPs listed in Appendix B of the Roads Manual are applicable to this project. The Siskiyou County DPW staff and bridge crew has received annual trainings on the Roads Manual BMPs and have replaced seven stream crossings as part of the 5C Program as well as numerous projects under their normal bridge/road construction and maintenance activities in accordance with the Roads Manual. The Manual is available in its entirety and by specific chapter online at:
http://www.5counties.org/Projects/FinalGeneralProjectPages/RoadsManual800.htm

2. The project would also be constructed in accordance with the guidelines set forth in the CDFG Stream Alteration Agreement (SAA), the Mitigated Negative Declaration prepared by CDFG, and the requirements set forth in the ACOE RGP 12. In addition to these design measures, any protective measures required by the KNF would be adhered to.

3. A Limited Operating Period of conducting no ground disturbing activities such as clearing of vegetation, structural excavation, loud and continuous noise until after July 9 will be implemented to reduce noise impacts to potential nesting Northern spotted owls within 0.25 miles of the Proposed Action area.

4. Additional environmental analyses and compliance may be necessary if the proposed action changes significantly from that described in the EA because of additional or new information.

5. In the event a cultural resource and/or paleontological site is discovered or human remains are uncovered during Construction, the discovery shall be immediately reported to the Regional Archeologist, and the Klamath Basin Area Office Manager of Bureau of Reclamation. All work at the project will stop until such time as the Reclamation Cultural Resources staff could assess the situation and advise on how to proceed.

6. All construction activities and appurtenant work (such as staging, vehicle and equipment parking areas) would be on the existing roadway and turnout areas. The spoils disposal area is located approximately ¼ mile from the Project Site on KNF land and is an existing roadway.

7. All disturbed areas resulting from the project shall be smoothed, shaped, recontoured and rehabilitated to as near their pre-project construction condition, as practicable.

8. Permits required pursuant to compliance with federal, state, local and tribal environmental protection laws and regulation shall be acquired before initiation of ground-disturbing activities.

CHAPTER 3 – AFFECTED ENVIRONMENT AND ENVIRONMENTAL EFFECTS

INTRODUCTION

Reclamation analyzed the effects of the proposal on the following resources or issues that are relevant to the proposal. These include:

CULTURAL RESOURCES

Cultural resources is a term used to describe both 'archaeological sites' depicting evidence of past human use of the landscape and the 'built environment' which is represented in structures such as dams, roadways, and buildings. The National Historic Preservation Act (NHPA) of 1966 is the primary Federal legislation which outlines the Federal Government's responsibility to cultural resources. Section 106 of the NHPA requires the Federal Government to take into consideration the effects of an undertaking on cultural resources listed on or eligible for inclusion in the National Register of Historic Places (National Register). Those resources that are on or eligible for inclusion in the National Register are referred to as historic properties.

The Section 106 process is outlined in the Federal regulations at 36 CFR Part 800. These regulations describe the process that the Federal agency (Reclamation) takes to identify cultural resources and the level of effect that the proposed undertaking will have on historic properties. In summary, Reclamation must first determine if the action is the type of action that has the potential to affect historic properties. If the action is the type of action to affect historic properties, Reclamation must identify the area of potential effects (APE), determine if historic properties are present within that APE, determine the effect

that the undertaking will have on historic properties, and consult with the State Historic Preservation Office (SHPO), to seek concurrence on Reclamation's findings. In addition, Reclamation is required through the Section 106 process to consult with Indian Tribes concerning the identification of sites of religious or cultural significance, and consult with individuals or groups who are entitled to be consulting parties or have requested to be consulting parties.

In an effort to identify cultural resource in the APE, Reclamation reviewed the available literature for cultural resources studies or previously recorded cultural resources in the APE. One previous study (Rich and Ainis 2007) was identified. The report by Rich and Ainis (2007) was conducted to identify cultural resources pursuant to the California Environmental Quality Act (CEQA). No cultural resources were identified during that study. Reclamation cultural resource staff conducted a cultural resource inventory of the APE on March 1, 2009. The Whites Gulch Culvert was the only cultural resource identified in the APE. In consultation with the California State Historic Preservation Officer (SHPO) the Whites Gulch Culvert was determined not to be eligible for inclusion in the National Register of Historic Places (National Register) because it did not meet the consideration criteria for inclusion in the National Register as outlined at 36 CFR Part 60.4. Reclamation also requested the participation of Indian Tribes to identify important cultural resources significant to them that may be affected by the Proposed Action alternative. There has been no response to Reclamation's requests.

In consultation with the SHPO, Reclamation concluded that the Proposed Action Alternative would result in no Historic Properties affected pursuant to 36 CFR Part 800.4(d)(1). There will be no impacts to cultural resources as a result of implementing the Proposed Action Alternative

Mitigation
Mitigation for impacts to cultural resources is incorporated into the proposed action described in Chapter 2 – Proposed Action and Alternative.

THREATENED AND ENDANGERED SPECIES
Federally-listed threatened and endangered species that may exist within and surrounding the proposed action area include the Southern Oregon / Northern California Coast ESU coho salmon (threatened) and the Northern spotted owl (threatened). The fisher (candidate for listing) may also be found in surrounding areas. These species may be present in the stream and surrounding forested areas during construction of the proposed action.

Based on Section 7 consultation between NMFS and the Corps of Engineers, the proposed action is one of many proposed actions that were, in NOAA Fisheries' opinion, "not likely to jeopardize the continued existence" and "not likely to destroy or adversely modify the designated critical habitat" of the SONCC ESU coho salmon. Therefore, the proposed action is not expected to have adverse affects on the SONCC ESU coho salmon due to the project design criteria.

Critical habitat has been designated for the federally threatened Southern Oregon Northern California Coast (SONCC) coho salmon Evolutionary Significant Unit (ESU) up to the culvert crossing. SONCC coho salmon are the only listed fisheries species occurring in the Klamath River hydrologic unit. The proposed action is also located within the Upper Klamath and Trinity River Chinook (UKTR) ESU for fall and spring runs and the Klamath Mountains Province steelhead DPS (Distinct Population Segment), neither of which are federal or state listed but are Forest Service sensitive species. Additionally, no adverse affects are expected on any of these species as a result of the proposed project.

Based on a concurrence letter from the United Stated Fish and Wildlife Service, the project "may affect but is not likely to adversely affect" the northern spotted owl. The proposed action will not affect suitable northern spotted owl habitat because it will not remove degrade, or downgrade suitable northern spotted owl habitat. The project will also operate under a Limited Operating Period in which no project operations will occur prior to July 9 to avoid disturbance of nesting owls or their young.

The northern spotted owl and designated critical habitat exists near the proposed project area. The KNF has been conducting Northern spotted owl surveys (NSO) surrounding the project area since 2007 as part of the Eddy's Gulch LSR Project. Surveys were conducted in 2008 and are currently in progress. NSO location information was provided by Samuel Cuenca (wildlife biologist, Scott & Salmon River Ranger District, KNF) in February 2009. As denoted on the map in Appendix 1, there are three NSO activity centers in the general vicinity of the proposed project.

The proposed project is not expected to have any adverse impacts to the fisher, a candidate species because fishers are not present within the project area. Per communications with KNF wildlife biologist, there have been no fisher sightings within two miles of the project area.

Botanical resource surveys were completed in June 2006 and 2007. The information and results pertaining to the surveys is included in Appendix 1. Based on the completed surveys, no threatened, endangered or sensitive plant/fungi/lichen species or noxious weed species were located in the project area or along the roadways where project work is planned to occur. Marla Knight (KNF botanist) was contacted regarding this project in 2006 and again in March 2009 for verification that there are no Threatened, Endangered, or Sensitive species at or near the site.

Mitigation

Conducting aquatic species relocation, construction of a temporary stream diversion, and the utilization of the applicable BMPs and water protection measures in the Roads Manual and the California Department of Fish and Game Stream Alteration Agreement will limit the potential negative direct effects of the proposed action on SONCC coho salmon. Exclusion fencing would be placed across the stream above and below the project construction area and aquatic species relocation would be conducted by a qualified fisheries biologist prior to project construction activities. Portions of the project area would be dewatered after relocation and before instream project construction begins. No instream construction activities or excavation of the existing culvert would occur prior to July 13, 2009. All instream work would be completed by October 15, 2009. No adult or juvenile coho salmon have been located at or near the project area, but juvenile spring and fall Chinook and steelhead have been observed in the outlet pool. Implementation of the proposed action could result in potential short term negative impacts to downstream critical habitat limited to the introduction of sediment from the culvert and roadfill excavation. The Best Management Practices of sediment fence installation, stream dewatering, and spoils disposal would ameliorate the effects of introduced sediments to the creek downstream of the project area. Turbidity levels would be visually monitored throughout project construction. A long-term, positive cumulative impact to fish and aquatic resources is anticipated from allowing access to approximately 3.5 miles of upstream anadromous salmonid habitat, and by reducing the risk of stream sedimentation and culvert crossing failure. Overall, implementation of the proposed fish barrier removal actions are expected to have a positive cumulative effect to fisheries and aquatic resources by improving aquatic habitat conditions and allowing uninhibited fish passage, thereby improving survival and growth of salmonid species in Whites Gulch. The project would also provide for full passage of other aquatic and terrestrial wildlife species.

Potential effects to the fisher and Northern spotted owl include short-term noise disturbance from excavation and construction activities. The Limited Operating Period of no ground disturbing work until after July 9 will limit potential indirect effects of noise disturbance to the Northern spotted owl.

No existing foraging, roosting or nesting habitat for the Northern spotted owl will be reduced or downgraded as a result of this project. It is unlikely that fishers would be utilizing habitat for foraging or den sites within or adjacent to the project area due to its proximity to the high traffic county and USFS road and Federal Highway (Sawyer's Bar Road). No existing foraging, denning or resting habitat for the fisher will be downgraded by the proposed action.

The project will not affect any federally endangered, threatened, rare, or candidate species of vascular and non-vascular plants or KNF Sensitive vascular and non-vascular plant species as there are no occurrences of these species within the project area.

WETLAND AND RIPARIAN AREAS

There are no wetlands in the proposed action area. Effects to the streambed and riparian vegetation will be limited to removal of the existing roadfill and culvert and construction of the bridge footings and abutments. Implementation of the proposed action could result in potential short term negative impacts to downstream water quality limited to the introduction of sediment from the culvert and roadfill excavation. Minimal vegetation will be removed within the footprint area of the bridge (refer to Appendix 1).

Mitigation

Stream dewatering per the applicable BMPs and water protection measures in the Roads Manual, the California Department of Fish and Game Stream Alteration Agreement, and the 401 Water Quality Certification (issued under RGP 12) will limit the potential negative direct effects of the proposed action on downstream water quality. Portions of the project area would be dewatered after species relocation and before instream project construction begins. No instream construction activities or excavation of the existing culvert would occur prior to July 13, 2009. All instream work is proposed to be completed by October 15, 2009. The Best Management Practices of installing and maintaining sediment fencing, stream dewatering in the construction area, installing and maintaining an oil-trapping absorbent floating boom at the culvert outlet pool, revegetation and spoils disposal would ameliorate the effects of potentially introduced sediment to the creek downstream of the construction area. Turbidity levels would be visually monitored throughout project construction. The proposed action would not place, discharge, dispose of, or deposit in such a manner as to permit to pass into the waters of the state, any substances or materials, including, but not limited to, soil, silt, bark, slash, sawdust, or petroleum, in quantities deleterious to fish, wildlife, beneficial functions of riparian zones, or the quality and beneficial uses of water within the State. No fill material would be placed within the ordinary high water mark or in a location that could potentially deliver to the stream or any other watercourse. All excavation work within, or adjacent to, the stream would be conducted during the dry period specified in the CDFG SAA. Upon project completion, all disturbed areas, including the old roadway approaches, would be re-vegetated with native seed species and plantings and mulched using certified weed-free material. Any excess spoils material would be end-hauled to the pre-approved permanent disposal site and permanently stabilized to prevent erosion.

OTHER RESOURCES AND ISSUES

Indian Trust Assets - Reclamation is required to consult with affected or involved tribes regarding impacts from Reclamation's activities on Indian trust assets. Indian trust assets are defined as legal interests in property held in trust by the United States for Indian tribes or individuals, or property that the United States is otherwise charged by law to protect. The United States has a trust responsibility to protect and maintain rights reserved by or granted to American Indians or Indian individuals by treaties, statutes, and executive orders. These rights are sometimes further interpreted through court decisions and regulations. This trust responsibility requires that all federal agencies take all actions

reasonably necessary to protect this trust. As a federal agency, Reclamation will carry out its activities in a manner that protects these assets and avoids adverse impacts when possible. When impacts to such assets cannot be avoided, Reclamation will provide
appropriate mitigation or compensation. The proposed action would have no effect on any identified Indian trust assets.

Environmental Justice - Pursuant to Executive Order 12898 (dated February 11, 1994), Reclamation is required to consider any potential effects to minority or low-income populations resulting from its actions. The proposed action would not result in a disproportionate effect upon those populations resulting from this action.

SUMMARY OF ENVIRONMENTAL EFFECTS

The environmental effects of the proposed action are summarized in Table 1.

Table 1 - Summary of Environmental Effects	
Resource / Issue	Predicted Effects
Cultural Resources	No historic properties affected
Threatened & Endangered Species – Coho Salmon	Not likely to jeopardize the continued existence
Threatened & Endangered Species – Northern Spotted Owl	May affect, not likely to adversely affect
Indian Trust Assets	No affect
Wetland & Riparian Areas	No affect

CHAPTER 4 – COORDINATION

PERMITS AND AUTHORIZATIONS

The following permits and authorizations would be obtained prior to project implementation as displayed in Table 2.

Table 2: Permits & Authorizations Possibly Needed For Whites Gulch Migration Barrier Removal Project		
Authority	Permit/Authorization Needed	Responsible Agency
Clean Water Act	Section 401 – Water Quality Certification	California Department of Fish & Game through RGP12 with the Army Corps of Engineers
Clean Water Act	Section 404 – Permit to Discharge Dredged or Fill Material into the Waters of the United States (ACOE)	California Department of Fish & Game through RGP12 with the Army Corps of Engineers
California Department of Fish and Game Code	Lake or Streambed Alteration – Code Sec. 1600	Siskiyou County with the California Department of Fish and Game
Endangered Species Act	Consultation on Impacts to Threatened and Endangered Species – fisheries	California Department of Fish & Game through RGP12 with the Army Corps of Engineers
Endangered Species Act	Consultation on Impacts to Threatened and Endangered Species – wildlife	California Department of Fish & Game through RGP12 with the Army Corps of Engineers
National Historic Preservation Act	Section 106 – Protection of Historic Properties	Bureau of Reclamation

COORDINATION

Reclamation utilized an interdisciplinary approach to prepare the EA to comply with the mandate of the National Environmental Policy Act (NEPA) to "...utilize a systematic, interdisciplinary approach which will insure the integrated use of the natural and social sciences and the environmental design arts in

planning and in decision-making which may have an impact on man's environment" (40 CFR 1501.2(a)). The principal disciplines involved with preparation of the EA were the following resource specialists:

Prepared By:

Kristen Hiatt, Environmental Specialist; Reclamation
Adam Nickels, Archaeologist, Reclamation
Christine Jordan, Fisheries Program Manager, Wildlife Biologist and Botanist, Five Counties Salmonid Conservation Program

Hiatt, Kristen L

From: Nickels, Adam M
Sent: Monday, June 15, 2009 12:08 PM
To: Hiatt, Kristen L
Cc: Land, Jennie M; Barnes, Amy J; Bruce, Brandee E; Connolly, Jonathan D; Leigh, Anastasia T; Overly, Stephen A
Attachments: CR Edists to EA_Whites Gulch_5C Edits_61009.doc; CR Edits to 20090610 White's Gulch FONSI_Final Draft.doc; 09-KBAO-049 SHPO Consult.pdf; SHPO Concurrence.pdf

Project No. 09-KBAO-049

Kristen:

The Bureau of Reclamation is proposing to provide grant funds to The Five Counties Salmonid Conservation Program through the Watershed Conservation Program administered by the Klamath Basin Area Office. The funds will be used to remove an existing culvert and install a bridge in its place. The activities associated with the proposed project will involve ground disturbance including road construction, removal, and vegetation grubbing and clearing. These activities are outlined in the Proposed Action Alternative of the Environmental Assessment (EA) for the White Gulch Migration Barrier Removal Project. These actions were determined by Reclamation's cultural resource staff to be the type of Actions that had the potential to affect historic properties Pursuant to the regulations implementing the Section 106 process at 36 CFR Part 800.

As a result, Reclamation entered into consultation with the California Stat Historic Preservation Officer (SHPO) on my 22, 2009 (Letter attached) requesting their concurrence on a finding of no historic properties affected. The SHPO concurred with Reclamation's finding on Jun 3, 2009 (letter attached). Reclamation received the concurrence letter on June 12, 2009 which was received by the cultural resources staff on June 15, 2009. As a result of receiving concurrence from the SHPO, I am able to state that the Proposed Action Alternative as outlined in the EA for White Gulch Migration Barrier Removal Project will result in no impacts to cultural resources. I have included some edits to the EA and proposed Finding of No Significant Impact (FONSI). Please include these edits in the Public Draft EA. Note that if the project changes or is altered after public comment period, this may require additional consultation efforts with the SHPO and Indian Tribes.

After Receiving concurrence from the SHPO, we are concluding the Section 106 process. Thank you for providing the opportunity to comment.

Sincerely,

Adam M. Nickels, M.S.
Archeologist
Bureau of Reclamation
Mid-Pacific Regional Office, MP-153
2800 Cottage Way
Sacramento, California 95825

Phone: 916.978.5053
Fax: 916978.5055

United States Department of the Interior

BUREAU OF RECLAMATION
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, California 95825-1898

TAKE PRIDE IN AMERICA

IN REPLY REFER TO:

MP-153
ENV-3.00

MAY 2 2 2009

CERTIFIED – RETURN RECEIPT REQUESTED

Mr. Milford Wayne Donaldson
State Historic Preservation Officer
Office of Historic Preservation
1416 9th Street Room 1442-7
Sacramento, CA 95814

Subject: National Historic Preservation Act, Section 106 Consultation for the Removal of a Culvert and Installation of a New Bridge at Whites Gulch in Siskiyou County, California (Project No. 09-KBAO-049)

Dear Mr. Donaldson:

The Bureau of Reclamation is initiating the National Historic Preservation Act (NHPA), Section 106 process seeking your concurrence on a finding of no historic properties affected for a proposed action to replace a large culvert with a bridge span over the Whites Gulch waterway, a tributary of the North Fork Salmon River in Siskiyou County, California (Figures 1 and 2). Reclamation is proposing to issue a grant through its Klamath River Watershed Enhancement Program to Trinity County who manages the Five Counties Salmonid Conservation Program; these counties include Trinity, Shasta, Siskiyou, Humboldt, and Del Norte Counties. The use of Federal appropriations constitutes an undertaking pursuant to Section 301(7) of the NHPA (16 U.S.C 470) as amended. Reclamation is consulting with you in accordance with the regulations at 36 CFR Part 800 implementing Section 106 of the NHPA.

The proposed undertaking will result in the removal of a large oval shaped culvert that is 6 feet high and 20 feet wide and 80 feet long being removed from the bed of the waterway of Whites Gulch. The fill dirt above the culvert will be grubbed of vegetation and the fill material removed and hauled away to a commercial disposal facility. The culvert itself will be removed in sections, loaded into dumb trucks, and disposed of in a commercial disposal facility. The bank of Whites Gulch will be re-contoured and planted with native vegetation. Thirty feet to the south of Whites Gulch Road, a bridge will be constructed spanning 51 feet, reconnecting Whites Gulch Road. Fifty feet of new road will be constructed, 25 feet on each side of the new bridge span. After vegetation is removed, the new road right-of-way will be graded to a width of 35 feet using a road grader. Construction of the bridge will require the excavation of both sides of the proposed bridge down to bedrock, approximately 8 feet deep and 10 feet wide to support the new bridge abutments. Vegetation grubbing and removal will occur on the 50 feet of new road and at

the bridge abutments. Removed sediment and vegetation will be hauled on existing roads to commercial disposal facilities. The new bridge will be a precast concrete bridge and will be delivered to the project area on flatbed semi trucks. Within the project area along the streambed of Whites Gulch, erosion control measures will be implemented to prevent debris and sediment from entering the waterway. These measures include the installation of temporary sediment fences and the replanting of all disturbed areas with native vegetation. Staging for the project will be within the road bed of Whites Gulch Road. Local traffic will be diverted to existing alternative routes.

The area of potential effects (APE) was determined by the extent of the project activities including culvert removal and bridge and road construction. The APE is one acre in size and is heavily vegetated. Nearly the entire APE is within the steep streambed walls of Whites Gulch. The larger woody vegetation within the active channel of Whites Gulch appears to be less than 25 years old. The area is located near the northern border of the Trinity Alps within the Klamath National Forest, Siskiyou County, California. The area is an un-surveyed section of National Forest Land located at UTM Zone 10, N. 4571423, E. 493058, NAD83. The APE is depicted on the Tanner Peak 7.5-minute, USGS topographic quadrangle (Figures 2, 3, and 4).

A search of the available cultural resource records located a cultural resource report that covered the APE by Rich and Ainis (2007) (enclosed). The report was completed for the California Department of Fish and Game as part of a study to remove Whites Gulch Dam located up river. The overall dam removal project anticipated the removal of the large culvert over Whites Gulch at Whites Gulch Road; however, this portion of the project was not implemented in 2007. Whites Gulch Dam was removed in 2007. As part of the cultural resource study by Rich and Ainis (2007), a records search was conducted at the Northeast Information Center, California State University, Chico. In combination with the records search at California State University, Chico, Rich and Ainis (2007) also conducted a search of the Klamath National Forest archaeological records. As a result of this pre-field identification effort, one archaeological resource was recorded, Whites Gulch Arrastra (site form enclosed with report). The site is not within the current APE. Consultation with Indian tribes and Native American individuals identified by the Native American Heritage Commission by Rich and Ainis (2007) resulted in no resources being identified by Indian tribes, organizations, or Native American individuals.

In addition to the cultural resource identification efforts conducted by Rich and Ainis (2007), Reclamation archeologists Adam Nickels and Jonathan Connolly conducted a site inspection of the APE on March 1, 2009. Reclamation archeologists conducted a reconnaissance level inventory effort and identified one previously unrecorded cultural resource within the APE, the Whites Gulch Road Culvert (enclosed DPR 523a form). Research into the age of the culvert indicates that the culvert is less than 50 years old. In 1964 there was a large flood on North Fork Salmon Creek River which washed out the bridge at Trooks Flat (at the intersection of Sawyers Road and Whites Gulch Road). A small bridge spanning the Whites Gulch waterway (later replaced with Whites Gulch Culvert) was also washed out in the flood. The bridge at Trooks Flat was not replaced until 1969. There are no records on file at the Siskiyou County Roads Department or the Klamath National Forest indicating when the Whites Gulch Culvert was installed. Because of the size of the culvert, it is assumed that the Trooks Flat Bridge was repaired first and the Whites Gulch Road culvert was constructed following. Based on tree and

vegetation growth, and the types of construction material, Reclamation estimates the installation of Whites Gulch Culvert around the late 1970's to early 1980's. Using this information, Reclamation concludes that the Whites Gulch Road culvert is not eligible for inclusion in the National Register because it does not meet the consideration criteria outlined in the regulations at 36 CFR Part 60.4 and does not depict exceptional significance.

Based on previous cultural resource identification efforts by Rich and Ainis (2007) and the current cultural resource identification efforts by Reclamation, Reclamation concludes that no historic properties will be affected by the proposed undertaking in accordance with the regulations at 36 CFR Part 800.4(d)(1). Reclamation is consulting with several federally recognized Indian tribes who may possess knowledge of historic properties or sites of religious and cultural significance within or immediately adjacent to the APE. If resources are identified as part of this effort, Reclamation will contact you immediately.

Reclamation invites your comments on the delineation of the APE, the appropriateness of the identification efforts, and requests your consensus that the Whites Gulch Road culvert is not eligible for inclusion in the National Register. Lastly, Reclamation requests your concurrence on our finding that no historic properties will be affected by the proposed undertaking. If you have any questions, comments, or concerns, please contact Archaeologist Adam Nickels at 916-978-5053 or anickels@mp.usbr.gov.

Sincerely

/S/ Michael Chotkowski

Michael A. Chotkowski
Regional Environmental Officer

Enclosures – On file in MP-150

Reference:

Rich, W. A. Ainis
2007 A Cultural Resources Investigation of the Whites Gulch Dam Removal Project Located in Siskiyou County, California. Report Prepared for the California Department of Fish and Game, Project 257-R-1 by the Cultural Resources Facility, Center for Indian Community Development, Humboldt State University Foundation. On File with Bureau of Reclamation, Mid Pacific Regional Office, Project no. 09-KBAO-049.

WBR:ANickels:abeals:20May09:916978-5053
I:153/Adam/2009/09-KBAO-049 SHPO Consultation.doc

FICE OF HISTORIC PRESERVATION
DEPARTMENT OF PARKS AND RECREATION
P.O. BOX 942896
SACRAMENTO, CA 94296-0001
(916) 653-6624 Fax: (916) 653-9824
calshpo@ohp.parks.ca.gov
www.ohp.parks.ca.gov

June 03, 2009

In Reply Refer To: BUR090527B

Michael A. Chotkowski
Regional Environmental Officer
United States Department of the Interior
Bureau of Reclamation
Mid-Pacific Regional Office
2800 Cottage Way
Sacramento, CA 95825-1898

Re: Removal of the Whites Gulch Culvert and Construction of a Bridge over Whites Gulch, Siskiyou County, California (Project No. 09-KBAO-049)

Dear Mr. Chotkowski:

Thank you for seeking my consultation regarding the proposed Whites Gulch Culvert Removal and Bridge Construction Project in Siskiyou County. Pursuant to 36 CFR Part 800 (as amended 8-05-04) regulations implementing Section 106 of the National Historic Preservation Act (NHPA), the Bureau of Reclamation (BUR) is seeking my comments regarding the effects that this project will have on historic properties. The proposed project will be implemented by Trinity County, who manages the Five Counties Salmonid Conservation Program (Trinity, Shasta, Siskiyou, Humboldt, and Del Norte counties) using grant funds from the BUR. The BUR has determined that the use of federal funds for this project constitutes an undertaking pursuant to Section 106 regulations.

The undertaking will involve the removal of the existing crossing (buried culvert) at Whites Gulch. This culvert is approximately six-feet high, 20-feet wide, and 80-feet in length. It will be mechanically removed in sections, loaded onto trucks, and taken to a commercial disposal facility. The culvert location will be re-contoured and re-vegetated with native flora. Thirty feet to the south of Whites Gulch Road, a new bridge will be installed to replace this crossing and 50-feet of new access road (25-feet on each side of Whites Gulch) will be constructed. The BUR has determined that the Area of Potential Effects (APE) consists of the locations of these two proposed actions, which cover an area of approximately one acre. Staging will be via the existing Whites Gulch Road. In addition to your letter of May 22, 2009, you have submitted the following report as supporting documentation:

• *A Cultural Resources Investigation of the Whites Gulch Dam Removal Project located in Siskiyou County, California: California Department of Fish and Game Project*

257-R-1 (William Rich and Amira Ainis, Cultural Resources Facility, Center for Indian Community Development, Humboldt State University Foundation: April 2007).

After reviewing your letter and supporting documentation I concur that the Whites Gulch Culvert is not an historic property under NRHP guidelines (insufficient age) and I have no objection to your finding for this undertaking of No Historic Properties Affected. Be advised that under certain circumstances, such as unanticipated discovery or a change in project description, the BUR may have additional future responsibilities for this undertaking under 36 CFR Part 800. Thank you for seeking my comments and for considering historic properties in planning your project. If you require further information, please contact William Soule, Associate State Archeologist, at phone 916-654-4614 or email wsoule@parks.ca.gov.

Sincerely,

Susan K Stratton for

Milford Wayne Donaldson, FAIA
State Historic Preservation Officer

From: Robbins, Eleanor J (Ellie)
To: Hiatt. Kristen L
Date: 6/11/2009 1:25:04 PM
Subject: FW: ITA Request - White's Gulch Migration Barrier Removal Project

Kristen,

I reviewed the proposed action and find that it does not affect Indian Trust Assets.

The nearest ITA to the proposed project is a Public Domain Allotment which is approximately 7 miles south of the project location.

Patricia
PS Attached is a new ITA request form with the correct emails.

-----Original Message-----
From: Robbins, Eleanor J (Ellie)
Sent: Thursday, June 11, 2009 11:28 AM
To: Robbins, Eleanor J (Ellie)
Subject: Fwd: ITA Request - White's Gulch Migration Barrier Removal Project

-----Original Message-----
Date: 06/11/2009 12:27 pm -0600 (Thursday)
From: Kristen Hiatt
To: Patricia Rivera
CC: Diane Williams; Ellie Robbins
Subject: ITA Request - White's Gulch Migration Barrier Removal Project

Patricia,

Please review the attached ITA request form for the White's Gulch Migration Barrier Removal Project. We are preparing an abbreviated EA for the project which has also been attached for your reference.

Thanks,

Kristen

Mail Envelope Properties (4A3167B6.5F5 : 4 : 24412)

Subject: FW: ITA Request - White's Gulch Migration Barrier Removal Project
Creation Date 6/11/2009 1:22:04 PM
From: Robbins, Eleanor J (Ellie)

Created By: ERobbins.BOR.Exchange

Recipients
2KPO100.ibr2dm11
KHIATT (Kristen Hiatt)

Post Office	**Route**
2KPO100.ibr2dm11	

Files	**Size**	**Date & Time**
MESSAGE	990	6/11/2009 1:22:04 PM
EA_Whites Gulch_5C Edits_61009.doc	1610752	6/11/2009 8:22:16 PM
Indian Trust Assets_Whites Gulch.doc	1398784	6/11/2009 8:22:16 PM
Indian Trust Assets Request Form2.doc	47104	6/11/2009 8:22:16 PM

Options

Expiration Date:	None
Priority:	Standard
ReplyRequested:	No
Return Notification:	None
Concealed Subject:	No
Security:	Standard

Junk Mail Handling Evaluation Results
Message is not eligible for Junk Mail handling

Junk Mail settings when this message was delivered
Junk Mail handling disabled by User
Junk List is not enabled
Junk Mail using personal address books is not enabled
Block List is not enabled